

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. Bonutti

Confirmation No.:

Application No.: To be Assigned
(Continuation of App No. 10/191,751)
Filed: Herewith

Group Art Unit:
Examiner:
Attorney Docket No.: 780-A03-012D

For: BICOMPARTMENTAL KNEE IMPLANT AND METHOD

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

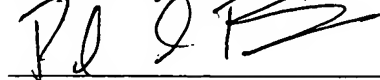
A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed documents from prior Application No. 10/191,751, filed July 8, 2002, of which this application claims priority under 35 U.S.C. § 120, are not being submitted pursuant to 37 C.F.R. § 1.98(d).

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.

Dated: Dec. 3, 2003

Respectfully submitted,



Paul D. Bianco (Reg. No. 43,500)

Attorney for Applicant

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PTO/SB/08A (10-96)

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Patent and Trademark Office: U.S. Department of Commerce

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Substitute for form 1449A/PTO				Complete If Known		
INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary)				Application Number		
				Filing Date		
				First Named Inventor		
				Group Art Unit		
				Examiner Name		
				Peter M. Bonutti		
				Unknown		
Sheet 1 of 6				Attorney Docket Number		
				780-A03-012D		
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	3,229,006		Nohl	01/11/66	
	AB	3,624,747		McKnight	11/30/74	
	AC	3,807,393		McDonald	10/14/75	
	AD	3,903,549		Deyerle	09/09/75	
	AE	3,911,923		Yoon	10/14/75	
	AF	3,920,022		Pastor	11/18/75	
	AG	3,967,625		Yoon	07/06/76	
	AH	3,989,049		Yoon	11/02/76	
	AI	3,991,426		Flom	11/16/76	
	AJ	3,994,287		Turp	11/30/76	
	AK	4,053,953		Flom	10/18/77	
	AL	4,085,466		Goodfellow	04/25/78	
	AM	4,085,743		Yoon	04/25/78	
	AN	4,103,680		Yoon	08/01/78	
	AO	4,299,224		Noiles	11/10/81	
	AP	4,311,145		Esty	01/19/82	
	AQ	4,344,193		Kenny	08/17/82	
	AR	4,374,523		Yoon	02/22/83	
	AS	4,385,404		Sully	05/01/83	
	AT	4,509,518		McGarry	04/09/85	
	AU	4,545,375		Cline	10/08/85	
	AV	4,619,391		Sharkany	05/05/87	
Examiner					Date Considered	

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	AW	4,624,254		McGarry	11/25/86	
	AX	4,641,648		Shapiro	02/10/87	
	AY	4,662,372		Sharkany	05/05/87	
	AZ	4,682,598		Beraha	07/28/87	
	BA	4,685,460		Thornton	08/11/87	
	BB	4,817,602		Beraha	04/04/89	
	BC	4,936,852		Kent	06/25/90	
	BD	4,961,954		Goldberg	10/09/90	
	BE	4,964,865		Burkhead	10/23/90	
	BF	4,985,038		Lyell	01/15/91	
	BG	5,032,132		Matsen	07/16/91	
	BH	5,060,678		Bauman	10/29/91	
	BI	5,098,437		Kashuba	03/24/92	
	BJ	5,100,689		Goldberg	03/31/92	
	BK	5,108,441		McDowell	03/28/92	
	BL	5,111,987		Moeinzadeh	05/12/92	
	BM	5,123,906		Kelman	06/23/92	
	BN	5,152,744		Krause	10/06/92	
	BO	5,152,778		Bales	10/06/92	
	BP	5,170,800		Smith	12/15/92	
	BQ	5,171,243		Kashuba	12/15/92	
Examiner					Date Considered	

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	BR	5,174,300		Bales	12/29/92	
	BS	5,176,702		Bales	01/05/93	
	BT	5,178,622		Lehner	01/12/93	
	BU	5,183,053		Yeh	02/02/93	
	BV	5,186,178		Yeh	02/16/93	
	BW	5,197,968		Clement	03/30/93	
	BX	5,197,987		Koch	03/30/93	
	BY	5,207,692		Kraus	05/04/93	
	BZ	5,258,004		Bales	11/02/93	
	CA	5,273,524		Fox	12/28/93	
	CB	5,275,166		Vaitekunas	01/04/94	
	CC	5,293,878		Bales	03/15/94	
	CD	5,322,505		Krause	06/21/94	
	CE	5,348,541		Lyell	09/20/94	
	CF	5,368,599		Hirsch	11/29/94	
	CG	5,425,745		Green	06/20/95	
	CH	5,454,815		Geisser	10/03/95	
	CI	5,456,720		Schultz	10/10/95	
	CJ	5,472,415		King	12/05/95	
	CK	5,484,095		Green	01/16/96	
	CL	5,497,933		Defonzo	03/12/96	
Examiner				Date Considered		

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	CM	5,514,139		Goldstein	05/07/96	
	CN	5,522,897		King	06/04/96	
	CO	5,554,169		Green	03/12/96	
	CP	5,569,163		Francis	10/29/96	
	CQ	5,570,700		Vogeler	11/05/96	
	CR	5,593,448		Dong	01/14/97	
	CS	5,597,379		Haines	01/28/97	
	CT	5,624,463		Stone	04/29/97	
	CU	5,632,745		Schwartz	05/27/97	
	CV	5,643,272		Haines	07/01/97	
	CW	5,649,946		Bramlet	07/22/97	
	CX	5,667,069		Williams	09/16/97	
	CY	5,702,447		Walch	12/30/97	
	CZ	5,702,475		Zahedi	12/30/97	
	DA	5,707,350		Krause	01/13/98	
	DB	5,712,543		Sjostrom	01/27/98	
	DC	5,718,708		Webb	02/16/98	
	DD	5,723,331		Tubo	03/03/98	
	DE	5,755,731		Grinberg	05/26/98	
	DF	5,755,803		Haines	05/26/98	
	DG	5,769,899		Schwartz	06/23/98	
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U.S. PATENT DOCUMENTS						
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	DH	5,810,827		Haines	09/22/98	
	DI	5,817,109		McGarry	10/06/98	
	DJ	5,846,931		Hattersley	12/08/98	
	DK	5,866,415		Villeneuve	02/02/99	
	DL	5,871,493		Sjostrom	02/16/99	
	DM	5,879,354		Haines	03/09/99	
	DN	5,880,976		DiGioia et al.	03/09/99	
	DO	5,899,914		Zirps	05/04/99	
	DP	5,913,874		Berns	07/22/99	
	DQ	5,921,990		Webb	07/13/99	
	DR	5,995,738		Di Gioia et al.	11/30/99	
	DS	5,997,566		Tobin	12/07/99	
	DT	6,002,859		Di Gioia et al.	12/14/99	
	DU	6,015,419		Strome	01/18/00	
	DV	6,022,350		Ganem	02/08/00	
	DW	6,056,754		Haines	05/02/00	
	DX	6,077,287		Taylor	06/20/00	
	DY	6,090,122		Sjostrom	07/18/00	
	DZ	6,099,532		Florea	08/08/00	
	EA	6,171,340		McDowell	01/09/01	
	EB	6,174,321		Webb	01/16/01	
	EC	6,197,064		Haines	03/06/01	
Examiner				Date Considered		

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				Peter M. Bonutti	
				Unknown	
Sheet	6	of	6	Attorney Docket Number	
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	ED	6,205,411		DiGioia et al.	03/20/01	
	EF	6,214,051		Badorf	04/10/01	
	EG	6,228,121		Khalili	05/08/01	
	EH	6,241,735		Marmulla	06/05/01	
	EI	6,290,703		Ganem	09/18/01	
	EK	6,325,806		Fox	12/04/01	
	EL	6,328,572		Higashida	12/11/01	
	EM	6,338,737		Toledano	01/15/02	
	EN	6,391,040		Christodias	05/21/02	
	EO	6,398,815		Pope et al.	06/04/02	
	EP	6,406,495		Schoch	06/18/02	
	EQ	6,409,722		Hoey	06/25/02	
	ER	6,431,743		Mizutani	08/13/02	
	ES	6,500,181		Portney	12/31/02	
	ET	6,514,259		Picard et al.	04/04/03	
	EU	6,616,696		Merchant	09/09/03	
	EV	D462,767		Meyer	09/10/02	
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	AB	4,224,696		Murray et al.	09/30/80	
	AC	4,298,992		Burstein et al.	11/10/81	
	AD	4,373,709		Whitt	02/15/83	
	AE	4,457,302		Caspari et al.	07/03/84	
	AF	4,565,192		Shapiro	01/21/86	
	AG	4,574,794		Cooke et al.	03/11/86	
	AH	4,739,751		Sapega et al.	04/26/88	
	AI	4,979,949		Matsen, II et al.	12/25/90	
	AJ	5,007,912		Alberktsson et al.	04/16/91	
	AK	5,099,859		Bell	03/31/92	
	AL	5,154,717		Matsen, II et al.	10/13/92	
	AM	5,163,949		Bonutti	11/17/92	
	AN	5,171,244		Caspari et al.	12/25/92	
	AO	5,183,464		Dubrul et al.	02/02/93	
	AP	5,197,971		Bonutti	03/30/93	
	AQ	5,217,463		Mikhail	06/08/93	
	AR	5,228,459		Caspari et al.	07/20/93	
	AS	5,234,433		Bert et al.	08/10/93	
	AT	5,269,785		Bonutti	12/14/93	
	AU	5,282,803		Lackey	02/01/94	
	AV	5,282,866		Cohen et al.	02/01/94	
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	AX	5,295,994		Bonutti	03/22/94	
	AY	5,304,181		Caspari et al	04/19/94	
	AZ	5,308,349		Mikhail	05/03/94	
	BA	5,320,611		Bonutti et al.	06/14/94	
	BB	5,344,423		Dietz et al.	09/06/94	
	BC	5,344,458		Bonutti	09/06/94	
	BD	5,358,530		Hodorek	10/25/94	
	BE	5,379,133		Kirk	01/03/95	
	BF	5,395,401		Bahler	03/07/95	
	BG	5,403,319		Matsen, III et al.	04/04/95	
	BH	5,425,355		Kullick	06/20/95	
	BI	5,445,639		Kuslich et al.	08/29/95	
	BJ	5,454,365		Bonutti	10/03/95	
	BK	5,456,268		Bonutti	10/10/95	
	BL	5,514,143		Bonutti et al.	05/07/96	
	BM	5,514,153		Bonutti	05/07/96	
	BN	5,520,692		Ferrante	05/28/96	
	BO	5,520,694		Dance et al.	05/28/96	
	BP	5,540,695		Levy	07/30/96	
	BQ	5,549,683		Bonutti	08/27/96	
Examiner				Date Considered		

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INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary)				Application Number		
				Filing Date		
				First Named Inventor		
				Group Art Unit		
				Examiner Name		
Sheet 3 of 7				Attorney Docket Number 780-A03-012D		
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BR	5,609,603		Linden	03/11/97	
	BS	5,609,644		Ashby et al.	03/11/97	
	BT	5,632,745		Schwartz	05/27/97	
	BU	5,643,272		Haines et al.	07/01/97	
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	BW	5,667,512		Johnson	09/16/97	
	BX	5,667,520		Bonutti	09/16/97	
	BY	5,716,360		Baldwin et al.	02/10/98	
	BZ	5,733,292		Gustillo et al.	03/31/98	
	CA	5,749,876		Duvillier et al.	05/12/98	
	CB	5,755,791		Whitson et al.	05/26/98	
	CC	5,769,855		Bertin et al.	06/23/98	
	CD	5,772,594		Barrick	06/30/98	
	CE	5,788,700		Morawa et al.	08/04/98	
	CF	5,842,477		Naughton et al.	12/01/98	
	CG	5,860,981		Bertin et al.	01/19/99	
	CH	5,888,219		Bonutti	03/30/99	
	CI	5,908,424		Bertin et al.	06/15/99	
	CJ	5,911,723		Ashby et al.	06/15/99	
	CK	5,916,269		Serbousek et al.	06/19/99	
	CL	5,961,499		Bonutti	10/05/99	
Examiner				Date Considered		

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				Examiner Name		
Sheet	4	of	7	Attorney Docket Number	780-A03-012D	
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	CM	6,012,456		Schuerch	01/11/00	
	CN	6,013,103		Kaufman et al.	01/11/00	
	CO	6,019,767		Howell	02/01/00	
	CP	6,059,817		Bonutti et al.	05/09/00	
	CQ	6,063,095		Wang et al.	05/16/00	
	CR	6,086,593		Bonutti	07/11/00	
	CS	6,099,531		Bonutti	08/08/00	
	CT	6,102,850		Wang et al.	08/15/00	
	CU	6,118,845		Simon et al.	09/12/00	
	CV	6,159,246		Mendez et al.	12/12/00	
	CW	6,174,314		Waddell	01/16/01	
	CX	6,185,315		Schmucher et al.	02/06/01	
	CY	6,187,023		Bonutti	02/13/01	
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	DB	6,197,064		Haines et al.	03/06/01	
	DC	6,198,794		Peshkin et al.	03/06/01	
	DD	6,206,927		Fell et al.	03/27/01	
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	DF	6,258,127		Schmotzer	07/10/01	
	DG	6,277,136		Bonutti	08/21/01	
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				Examiner Name	
				Peter M. Bonutti	
				Unknown	
Sheet	5	of	7	Attorney Docket Number	
				780-A03-012D	

Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	DH	6,280,476		Metzger et al.	08/28/01	
	DI	6,299,645		Ogden et al.	10/09/01	
	DJ	6,306,172		O'Neil	10/23/01	
	DK	6,338,730		Bonutti et al.	01/15/02	
	DL	6,358,266		Bonutti	03/19/02	
	DM	US 2001/0034554 A1		Pappas	10/25/01	
	DN	US 2001/0037155 A1		Merchant	11/01/01	
	DO	US 2002/0029038 A1		Haines	03/07/02	
	DP	Des 358647		Cohen	05/23/95	
Examiner				Date Considered		

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		Group Art Unit	
		Examiner Name	Unknown
Sheet	6	of	7
		Attorney Docket Number	780-A03-012D

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	EA	The M/G Unicompartmental Knee – Minimally Invasive Surgical Technique – Publication date unknown, but before August 1, 2001.	
	EB	Scorpio Single Axis Total System – Passport Total Knee Instrumentation – Passport A.R Surgical Technique – Publication date unknown, but before August 1, 2001.	
	EC	NexGen Complete Knee Solution – Design Rationale – Publication date unknown, but before August 1, 2001.	
	ED	Insall/Burstein II Modular Knee System – Publication date unknown, but before August 1, 2001.	
	EE	NexGen Complete Knee Solution – Surgical Technique for the LPS-Flex Fixed Bearing Knee – Publication date unknown, but before August 1, 2001.	
	EF	NexGen Complete Knee Solution – Extramedullary/ Intramedullary Tibial Resector Surgical Technique – Publication date unknown, but before August 1, 2001.	
	EG	NexGen Complete Knee Solution – Multi-Reference TM 4-in-1 Femoral Instrumentation – Anterior Reference Surgical Technique – Publication date unknown, but before August 1, 2001.	
	EH	NexGen Complete Knee Solution – Intramedullary Instrumentation Technique – For the NexGen Cruciate Retaining & Legacy ® Posterior Stabilized Knee – Publication date unknown, but before August 1, 2001.	
	EI	Surgical Navigation for Total Knee Arthroplasty – Believed to have been presented at the American Academy of Orthopedic Surgeons In February of 2001.	
	EJ	Operative Arthroscopy – John B. McGinty M.D. – Department of Orthopedic Surgery, Medical University of South Carolina, Charleston, South Carolina - © 1991 by Raven Press, Ltd., Page 9.	
	EK	The Series 7000 Total Knee System – Passport A.R. Total Knee Instruments - © Osteonics 1996	
	EL	Surgical Technique – Stryker ® Howmedica Osteonics – Restoration TM T3 Femoral Component Using the Command ® Instrument System, February 2000	
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				Peter M. Bonutti	
				Unknown	
Sheet	7	of	7	Attorney Docket Number	
				780-A03-012D	
OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ⁶
	EM	Sulzer Orthopedics TM Natural-Knee ® II System Surgical Technique - © 1998 Sulzer Orthopedics Inc.			
	EN	Surgical Protocol – Solar TM Total Shoulder System - © Osteonics Corp. 1998			
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